IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

In Re:	:	
	:	
DTREDS, LLC	:	**CASE NO 15-12488-RGM**
	:	**Chapter 11**
Debtor	:	
	:	

ORDER CONFIRMING THE DEBTOR'S FIRST AMENDED CHAPTER 11 PLAN OF REORGANIZATION

The Debtor's First Amended Chapter 11 Plan of Reorganization dated September 22, 2016, (hereafter the "Plan") having been transmitted to all creditors and parties in interest, and upon an objection to confirmation filed by Loudoun County, and upon the withdrawal of that objection, and upon the objection of the Internal Revenue Service, and upon the resolution by consent of that objection, and the court having determined after notice and a hearing that the Plan satisfies the requirements for confirmation under Section 1129(b) of the Bankruptcy Code, it be and hereby is

Ordered that:

1. The debtor's Plan is confirmed;

2. The provisions of the Plan are further amended to include the following stipulations pursuant to a Consent Order

between the Debtor and the Internal Revenue Service:

(a) The administrative claim of the Internal Revenue Service shall be paid in full on or before February 14, 2017, with interest at 4% and penalties in accordance with 11 U.S.C. 1129(a)(9)(A). Administrative liabilities of the Estate and post-petition liabilities of the Debtor to the Internal Revenue Service, if any, shall be timely reported and paid in the normal course of business, in full , with interest pursuant to 26 U.S.C. 6621 and penalties, if any.

(b) The unsecured priority claim of the Internal Revenue Service is allowed in full as filed on its proof of claim (or as that proof of claim may be amended owing to returns having been filed for which the Internal Revenue Service has estimated a liability) and shall be paid in equal quarterly payments (March 15, June 15, September 15, and December 15) within five years of the Order of Relief, with interest from the Confirmation date at the rate of 4% pursuant to 26 U.S.C. Sections 6621 and 6622.

(c) Notwithstanding anything to the contrary contained in either the Plan or this Confirmation Order, upon a default in the payment to the Internal Revenue Service of an amount provided for in the Plan or upon the non-payment of a tax due for a period after the entry of this Confirmation Order, the Debtor shall not be discharged, or released as to those amounts, and the United States shall not be enjoined from collection of any obligation

arising from a priority or administrative priority claim that is otherwise non-dischargeable pursuant to relevant Title 11 and non-Title 11 statutes. The Debtor agrees that priority and administrative priority tax claims set forth on the Proof of Claim filed by the Internal Revenue Service are non-dischargeable in this proceeding. Furthermore, any successor entity to the Debtor created under the authority of a Plan of reorganization in the proceeding shall likewise remain liable for the tax liabilities owed to the Internal Revenue Service as if such liabilities were incurred directly by such entity.

(d) The Debtor and/or its successor in interest will pay all federal taxes as they become due, will file all federal tax returns on a timely basis and will comply with all provisions of Title 26, U.S.C. If the Debtor and/or its successor in interest fails to make any payment called for under the Plan, or fails to abide by any other term of the Plan applicable to the Internal Revenue Service, then the United States may declare that the Debtor and/or its successor in interest is in default. If the United States declares the Debtor and/or its successor in interest to be in default of its obligation under the Plan, and the Debtor and/or its successor in interest fails to cure such default within 25 days thereof, then the entire liability

together with any unpaid current liabilities shall become due and payable immediately.

(e) Upon notice of default and the failure to cure as set forth above, the Internal Revenue Service may collect any unpaid liabilities through the administrative collection procedures of the Internal Revenue Code, without the need for Bankruptcy Court approval. This shall include full reinstatement of the administrative collection powers and the rights of the Internal Revenue Service as they existed prior to the filing of the bankruptcy petition in this case, including, but not limited to, the assessment of taxes, the filing of the Notice of Federal Tax Lien and the powers of levy, seizure and sale under Subtitle F, Procedure and Administration of the Internal Revenue Code.

3. Every Quarter following the entry of this order, the Debtor shall file with the Court and serve on the United States Trustee Quarterly Reports in a form approved by the Office of the United States Trustee and shall pay all quarterly fees due the Office of the United States Trustee until the approval of a Final Report and Final Decree.

4. Pursuant to the terms of Paragraph 24 of that certain Settlement Agreement and Release by and among (i) DTREDS, LLC ("DTREDS"), (ii) NCI Information Systems, Inc. ("NCI"), and (iii) EagleBank dated November 28, 2016 (the "Settlement Agreement")

which Settlement Agreement was approved by the Court at a hearing on December 7, 2016, all references to or provisions concerning DTREDS' alleged claims against NCI contained in DTREDS' First Amended Chapter 11 Plan of Reorganization (the "Plan") of any kind, type or nature should be, and hereby are, deleted from the Plan in their entirety for any and all purposes. 5. Consistent with the terms of the Settlement Agreement and the Court's Order approving the Settlement Agreement, NCI and the NCI Parties should be, and hereby are, deemed to be the beneficiaries of the general releases granted by DTREDS and the DTREDS Parties and EagleBank and the EagleBank Parties pursuant to Paragraph 2 and Paragraph 3 of the Settlement Agreement, respectively.

6. The clerk will mail a copy of this order, or give electronic notice of its entry to the Debtor's counsel and the Office of the United States Trustee, and will give all creditors and parties in interest notice that the plan has been confirmed.

Signed this day of , 2016.

Dec 8 2016

/s/ Robert G. Mayer

Hon. ROBERT G. MAYER
UNITED STATES BANKRUPTCY JUDGE

Entered on Docket: December 9, 2016

I ask for this:

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